

THE HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

FEDERATED RURAL ELECTRIC  
INSURANCE EXCHANGE and TIG  
INSURANCE COMPANY,

Plaintiffs,

v.

PUBLIC UTILITY DISTRICT NO. 1 of  
COWLITZ COUNTY, WASHINGTON, a  
Washington municipal corporation,

Defendant.

No. CV04-5052RBL

DECLARATION OF DOUGLAS G.  
HOUSER IN SUPPORT OF PLAINTIFF  
TIG'S OPPOSITION TO DEFENDANT  
PUD'S PREMATURE MOTION FOR  
ATTORNEY FEES, PREJUDGMENT  
INTEREST AND OTHER DAMAGES

I, DOUGLAS G. HOUSER declare as follows:

1. I am an attorney with Bullivant Houser Bailey PC, counsel of record for TIG Insurance Company ("TIG") in this action. I make all representations herein from my personal knowledge, and am competent to testify to the truth of the matters contained herein.

2. Attached as **Exhibit A** is a true and correct copy of excerpts from the Transcript of Deposition of Gary Huhta, June 22, 2005.

3. Attached as **Exhibit B** is a true and correct copy of February 3, 2004 letter from Douglas G. Houser to Kevin Kiely.

4. Attached as **Exhibit C** is a true and correct copy of August 12, 2002 letter

DECLARATION OF DOUGLAS G. HOUSER IN SUPPORT OF TIG'S  
OPPOSITION TO PUD'S PREMATURE MOTION FOR ATTORNEY  
FEES, PREJUDGMENT INTEREST AND OTHER DAMAGES  
No. CV04-5052RBL

Page 1

**Bullivant|Houser|Bailey PC**

888 S.W. Fifth Avenue, Suite 300  
Portland, Oregon 97204-2089  
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1 from Douglas G. Houser to Barry Dahl.

2 5. Attached as **Exhibit D** is a true and correct copy of TIG Policy No. XPT 392  
3 38 849.

4 6. Attached as **Exhibit E** is a true and correct copy of report by Lloyd's adjuster  
5 Steve Larkin, dated May 21, 2002.

6 7. Attached as **Exhibit F** is a true and correct copy of the first report from RGL,  
7 dated November 17, 2004.

8 I declare under penalty of perjury under the laws of the State of Washington and of  
9 the United States that the foregoing is true and correct.

10 DATED this 11th day of June, 2007.

11  
12 /s/ Douglas G. Houser  
13 Douglas G. Houser, OSB No. 600384  
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**CERTIFICATE OF SERVICE**

I certify that I electronically filed the foregoing **DECLARATION OF DOUGLAS G. HOUSER IN SUPPORT OF PLAINTIFF TIG'S OPPOSITION TO DEFENDANT PUD'S PREMATURE MOTION FOR ATTORNEY FEES, PREJUDGMENT INTEREST AND OTHER DAMAGES** as well as all the Exhibits referenced therein, with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the persons listed below:

Michael Ricketts  
Kingman Peabody Fitzharris & Ringer, P.S.  
505 Madison St., Ste. 300  
Seattle, WA 98104

Arjang Victory  
Jennifer Hoffman  
Matthew Gonzalez  
Bruckmann & Victory LLP  
420 Lexington Ave., Ste. 1621  
New York, NY 10170

DATED this 11<sup>th</sup> day of June, 2007.

By /s/ Douglas G. Houser  
Douglas G. Houser, OSB #600384  
Ronald J. Clark, OSB #88032  
Maria E. Sotirhos, WSBA #21726